

Message Text

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ACTION EA-10

INFO OCT-01 ISO-00 H-02 SCA-01 L-02 VOE-00 SSO-00 /016 W

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O 070755Z FEB 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC IMMEDIATE 7862

UNCLAS TOKYO 1664

E.O. 11652: N/A

TAGS: CGEN, CVIS, JA

SUBJECT: CONGRESSIONAL CORRESPONDENCE: MELVIN CRONIN'S JAPANESE
VISA APPLICATION

REF: STATE 27746

1. CONGEN HAS AGAIN QUERIED MFA CONCERNING STATUS OF CRONIN'S
VISA APPLICATION AND HAS EXPRESSED CONCERN OVER DELAY IN DECISION.
SIMILAR INQUIRIES BY CONGEN HAVE BEEN MADE ON REGULAR BASIS SINCE
LAST OCTOBER.

2. MAF OFFICIAL RESPONDED THAT DELAY IS OCCASIONED BY NECESSITY
FOR RECONCILING VIEWS OF MFA WITH THOSE OF MINISTRY OF JUSTICE
WHICH HAS JURISDICTION OVER IMMIGRATION SERVICE. MFA WOULD LIKE
MORE LIBERAL INTERPRETATION OF TREATY INVESTOR PROVISIONS WHEREAS
IMMIGRATION IS CONTENDING FOR MORE RESTRICTIVE APPROACH. CRONIN'S
CASE REPRESENTS THE TYPE OF VISA PROBLEM OVER WHICH THERE ARE
BASIC DIFFERENCES OF OPINION BETWEEN THE MINISTRIES: NAMELY,
WHETHER SPECIALISTS, OR THOSE HAVING SPECIALIZED KNOWLEDGE OR
SKILL, BUT WHO ARE NOT EXECUTIVES, MANAGERS, OR SUPERVISORS,
SHOULD BE ISSUED COMMERCIAL OR TREATY TYPE VISAS AS EMPLOYEES OF
A TREATY INVESTOR.

3. VIRTUALLY THIS SAME PROBLEM PRESENTLY CONFRONTS STATE AND INS IN
HANDLING VISA APPLICATIONS OF EMPLOYEES OF JAPANESE RESTAURANTS
DESTINED TO U.S. AS SPECIALITY COOKS. JAPANESE RESTAURANT INVESTORS
CONTEND THEY CANNOT FIND AMERICANS OR PERMANENT RESIDENTS WHO ARE
TRAINED OR EXPERIENCED AS SUSHI CHEFS, FOR EXAMPLE. ON THE OTHER
HAND, CRONIN'S PROSPECTIVE EMPLOYERS, DE GRASSI AND ASSOCIATES,
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CONTEND NO JAPANESE NATIONAL CAN BE FOUND TO PERFORM THE TYPE OF

SERVICES FOR WHICH CRONIN IS UNIQUELY QUALIFIED.

4. MFA IS AWARE OF USG INTEREST IN CRONIN CASE BUT CAN GIVE NO
ESTIMATE OF WHEN DECISION WILL BE REACHED. CONGEN WILL CONTINUE HIS
EFFORTS ON CRONIN'S BEHALF. DEPT SHOULD KNOW THAT IN RECENT MONTHS
EMB HAS BEEN REQUIRED TO REFUSE TREATY INVESTOR VISAS TO MANY
NON-MANAGERIAL JAPANESE PERSONNEL AND THIS FACT MAY
HAVE BEEN NOTED BY JAPANESE IMMIGRATION OFFICIALS WHO ARE VERY
CONSCIOUS OF THE PRINCIPLES OF RECIPROCITY.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 07 FEB 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975TOKYO001664
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750045-0287
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750260/aaaaccew.tel
Line Count: 71
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EA
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 STATE 27746
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 29 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: WITHDRAWN <10 Jun 2003 by MorefiRH, INA>; RELEASED <29 JUL 2003 by MorefiRH>; RELEASED <29 Jul 2003 by MorefiRH>; APPROVED <23 FEB 2004 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CONGRESSIONAL CORRESPONDENCE: MELVIN CRONIN'S JAPANESE VISA APPLICATION
TAGS: CGEN, CVIS, JA
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006